

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Charles Dean

v.

Civil No. 14-cv-184-JL

United States of America

**ORDER**

Before the court is pro se prisoner Charles Dean's complaint (doc. no. 1), seeking damages from the United States under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 1346(b) and 2674. The matter is before the court for preliminary review pursuant to 28 U.S.C. § 1915A. Dean has alleged that Federal Correctional Institution-Berlin Capt. A. Galetta, acting within his scope of employment, failed to exercise due care in causing Dean to be exposed to hazardous chemicals without proper safety equipment and in an inadequately ventilated space, which caused Dean physical injuries and emotional distress. The facts alleged in the complaint state a plausible claim for relief against the United States under the FTCA. Dean appears to have both exhausted his administrative remedies, and filed his complaint within the requisite time. For those reasons, the court directs service of the complaint.

The clerk's office shall prepare and issue a summons, naming the United States as the defendant. The clerk's office shall forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summons and copies of this Order and the complaint (doc. no. 1). Upon receipt of the necessary documentation, the U.S. Marshal's Office shall serve the United States in accordance with Fed. R. Civ. P. 4(i)(1).

The United States shall file a response to the complaint no later than sixty days from the date of service on the United States Attorney. See Fed. R. Civ. P. 12(a)(2).

Plaintiff is referred to Fed. R. Civ. P. 5, which requires that every pleading, written motion, notice, and similar paper, after the original complaint, shall be served by delivering or mailing the materials to defendant's attorneys.

**SO ORDERED.**

  
\_\_\_\_\_  
Joseph Laplante  
United States District Judge

DATED: May 28, 2014

cc: Charles Dean, pro se